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UNCLAS SECTION 01 OF 04 JAKARTA 001173

STATE FOR EAP/MTS, EEB/IFD/OIA, EAD/PD, INL
BARCLAY/SNYDER, L/LEI BUCHHOLZ
DOJ FOR AG MICHAEL MUKASEY
FBI FOR DIRECTOR MUELLER
DOJ FOR CRIM AAG SWARTZ
DOJ/OPDAT FOR
ALEXANDRE/LEHMANN/JOHNSON
DOJ/ICITAP FOR TREVILLIAN/BARR
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MCC FOR AMBASSADOR DANILOVICH AND MORFORD
DEPT PASS USTR FOR AMBASSADOR SCHWAB
TREASURY FOR IA - BAUKOL
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SNAR, PHUM, KPAO, ID
SUBJECT: ATTORNEY GENERAL MUKASEYQS VISIT TO
INDONESIA EXTENDS COOPERATION TO ANTI-
CORRUPTION EFFORTS

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B) JAKARTA 244
C) JAKARTA 1005
D) STATE 162620
E) 2007 JAKARTA 2378
F) JAKARTA 687

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1. (SBU) SUMMARY: On June 9, 2008, Attorney General Mukasey visited Jakarta to meet with Attorney General Supandji, Indonesian National Police (INP) Chief Sutanto, and other Indonesian officials. While issues of terrorism remained high on the agenda, AG Mukasey also focused on cooperation regarding corruption, trafficking in persons, and asset forfeiture, reflecting the growing breadth of DOJ engagement in Indonesia. The visit was highlighted by the signing of an agreement to provide US support for the development of an elite Anti-Corruption Task Force within the AGO. DOJ assistance programs have led to tangible gains to the laws, policies and institutions involved in rule of reform, all of which are essential to Indonesia's continued democratic progress. End Summary.

Attorneys General Launch Anti-
Corruption Task Force

¶2. (SBU) AG Mukasey and the Ambassador met with Indonesian AG Supandji on June 9. AG Mukasey's visit was the first visit by any foreign attorney general to Jakarta since Attorney General Gonzales's trip in November 2006.

¶3. (SBU) During the visit, the Attorneys General signed an agreement to support the development of the Anti-Corruption Task Force at the AGO. This task force will be responsible for prosecuting high-level, complex corruption cases and recovering assets stolen through corruption. As part of the agreement signed during the visit, DOJ/OPDAT will use \$750,000 in INL funds to support the task force with equipment, expert support, and other expenses. During their private meeting, AG Supandji described how that the prosecutors would be divided into specialized teams focusing on five areas --banking, procurement, IT, public services, and asset recovery -- and noted the rigorous selection process of task force prosecutors.

¶4. (SBU) The establishment of the Anti-Corruption Task Force reflects a major change in organizational thinking at the AGO (Ref A). The AGO has traditionally taken an assembly line approach to cases, dividing prosecutors only into pre-prosecution, prosecution, and execution of judgment units. By assigning

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prosecutors to specific types of crimes for the duration of the case, this new approach will ensure greater case continuity, better coordination with the police, and more professional accountability in complex cases. In addition, the competitive process for selecting the task force members was unprecedented. Deputy Attorney General for Special Crimes (Corruption) Marwan Effendy personally interviewed each candidate and required each one to submit a personal wealth statement as an added ethical precaution.

AGs Discuss Reform Process, Areas for Partnership

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¶5. (SBU) AG Mukasey also discussed the progress in combatting terrorism and transnational crime, noting the recent lifting of the State Department's Travel Warning to Indonesia as a tangible sign of that progress. They discussed the importance of criminal procedure reform as an important step to increasing police-prosecutor cooperation, which would lead to greater success in the courtroom (Ref B). AG Mukasey also commended the AGO on its progress in combatting trafficking in persons (TIP) (Ref C). AG Mukasey observed that the U.S. remained interested in exploring a Mutual Legal Assistance Treaty (MLAT), noting that the ability of Indonesia to compel the production of evidence in response to a U.S. request was critical (Ref D). Finally, AG Supandji noted the need to build human capacity within the AGO, specifically identifying the area of asset tracing. AG Mukasey agreed, also stressing the benefits of having a law permitting civil asset forfeiture of illegal

proceeds (Ref E).

¶6. (SBU) AG Mukasey visited with the AGO prosecutors of the Terrorism and Transnational Crime Task Force, a DOJ/OPDAT-implemented, S/CT and INL-funded unit of 22 prosecutors. The task force has successfully prosecuted 43 Indonesian terrorists, including 26 Jamaah Islamiyah members, as well as a number of significant TIP and money laundering cases in less than two years of operation (Ref G). Its success in terrorism cases has been due in large part to overcoming the lack of coordination between prosecutors and the police that typically exists in Indonesia.

¶7. (SBU) During a joint press conference, AG Mukasey commented on the broadening areas of cooperation between the U.S. and Indonesia. He first noted the success of existing U.S.-Indonesian cooperation in the area of terrorism. He then highlighted the importance of combating corruption and recovering stolen

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assets, pledging the support of the U.S. in assisting the new Anti-Corruption Task Force. Finally, he recognized the valuable cooperation between the U.S. and Indonesia on TIP. The press conference received extensive and positive coverage in the television and print media.

AG Mukasey-Police Chief Sutanto Seek to Expand Cooperation

¶8. (SBU) AG Mukasey next met with Indonesian National Police Chief Sutanto. General Sutanto thanked AG Mukasey for DOJQs cooperation on terrorism matters. AG Mukasey thanked Sutanto for the Indonesian policeQs assistance in the case involving Tamil Tigers arms dealer Thavarajah Pratheepan. The two officials also discussed the possibility of having INP officers travel to the US to testify at PratheepanQs trial in December. Sutanto thanked the FBI for providing forensic assistance in the case of poisoned human rights activist Munir and for assistance in returning corruption fugitive David Nusa Wajaya. He also noted FBI assistance in the successful investigation and prosecution of a group of Papuan separatists responsible for the 2002 murders of two American school teachers in Timika, Papua. Sutanto praised the work of DOJ/ICITAP, with his staff noting its contributions in the areas of TIP, money laundering, and forensics. Sutanto identified terrorism financing as an area where assistance from the DOJ would be appreciated. DOJ/ICITAP will launch an assistance project later this year directed at upgrading the INPQs capacity to combat terrorism financing. AG Mukasey noted that FBI Director Mueller would be visiting in July and would also be able to provide assistance.

AG Mukasey Meets Legal Reform Leaders at Reception

¶9. (SBU) The Ambassador held a reception for AG Mukasey to conclude his visit. AG Mukasey

had an opportunity to speak with the eighty-five guests, which included a broad cross-section of the Indonesian legal community, including participants from the USG-funded SMU Rule of Law program who had met with AG Mukasey in Washington last month. AG Mukasey provided encouragement to the head of the new criminal procedure code drafting team, noting the importance of this project. In his general remarks, AG Mukasey reiterated both the broadening and deepening of the law enforcement partnership between the U.S. and Indonesia and

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noted the largely peaceful progress Indonesia has made toward democracy and the rule of law over the past ten years.

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